



Order Filed on August 24, 2023  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

Friedman Vartolo LLP  
1325 Franklin Avenue, Suite 160  
Garden City, NY 11530  
bankruptcy@friedmanvartolo.com  
T: (212) 471-5100  
F: (212) 471-5150  
Attorneys for Shellpoint Mortgage Servicing as  
servicer for US Bank Trust National Association, Not  
In Its Individual Capacity But Solely As Owner  
Trustee For VRMTG Asset Trust

In Re:

Vanessa H. Douglass

Debtor

Case No.: 18-11548-ABA

Chapter: 13


Hearing Date:  
July 11, 2023 at 10:00 am

Hon. Judge: Andrew B Altenburg Jr.

**ORDER RESOLVING CERTIFICATION OF DEFAULT SUBMITTED UNDER 7-DAY  
RULE**

The consent order set forth on the following pages, numbered two (2) through three (3), is hereby  
**ORDERED.**

**DATED: August 24, 2023**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

Applicant: Shellpoint Mortgage Servicing as servicer for US Bank Trust  
National Association, Not In Its Individual Capacity But Solely As  
Owner Trustee For VRMTG Asset Trust  
Applicant's Counsel: Friedman Vartolo LLP  
Debtor's Counsel: Ellen M. McDowell, Esquire  
Property (Collateral): 65 East Collings Avenue, Collingswood, NJ 08108

Relief Sought:

- Relief from Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☒ The Debtor(s) is/are overdue for 7 months, from 11/1/2022 to 5/1/2023.
- ☒ The Debtor(s) is/are overdue for 7 payments at \$1,398.12 per month.
- ☐ The Debtor(s) is/are due for \$0.00 in accrued late charges.
- ☐ The Debtor(s) is/are due for \$0.00 in attorney's fees and costs.
- ☒ Applicant acknowledges suspense funds in the amount of \$1,164.79.

Total Arrearages Due: \$8,622.05

2. Debtors must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \_\_\_\_\_. Payment shall be made no later than \_\_\_\_\_.
- ☒ Beginning on June 9, 2023, regular monthly mortgage payments shall continue to be made in the amount of \$1,398.12. The regular payments shall be made on July 7, 2023, August 4, 2023, and September 1, 2023. Further regular payments will be due on the 1<sup>st</sup> of each month.
- ☒ Beginning on June 23, 2023 additional monthly cure payments shall be made in the amount of \$2,231.00 for 3 months. The following additional payments shall be made on July 21, 2023, and August 18, 2023.
- ☐ Debtors shall tender an additional monthly cure payment of \$1,929.05 on September 15, 2023.
- ☐ The amount of \_\_\_\_\_ shall be capitalized in the debtor's Chapter 13 plan.

Said amount shall be set up on Trustee's ledger as a separate Claim. Debtor(s) shall file a Modified Plan within 10 days from the entry of this Order to account for the additional arrears to be paid to the secured creditor via Chapter 13 Plan and to adjust monthly payments to the Chapter 13 Trustee accordingly.

3. Payments to the Secured Creditor shall be made to the following address:

Payments:

Shellpoint Mortgage Servicing  
P.O. Box 10826  
Greenville, SC 29603-0826

4. In the event of default:

☒ Should the Debtors fail to make any of the above captioned payments, fail to file an amended plan or if any regular monthly mortgage payment commencing after the cure of the post-petition delinquency is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ In the event the Debtors convert to a Chapter 7 during the pendency of this bankruptcy case, the Debtors shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtor fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay.

☒ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay

5. Award of Attorney's Fees:

The Applicant is awarded attorney's fees of \$200.00 and costs of \$0.00

The fees and costs are payable:

- ☐ Attorney's fees and costs have been included in the Consent Order.
- ☒ Through the Chapter 13 plan. The fees/costs shall be set up as a separate claim to be paid by the Standing Trustee and shall be paid as an administrative claim.
- ☐ To the Secured Creditor within \_\_\_\_\_ days
- ☐ Attorney's fees are not awarded.
- ☐ Movant reserves its right to file a Post-Petition Fee Notice for fees and costs incurred in connection with the Motion for Relief.